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TAGS: [PGOV IT ITALY NATIONAL ELECTIONS](#)

SUBJECT: ITALIAN CASSATION DECLARES RESULTS OFFICIAL: PRODI  
WINS ELECTIONS

REF: A. ROME 1162  
[B](#). ROME 1115  
[C](#). ROME 1107

SUMMARY

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[1](#)1. (SBU) Italy's Court of Cassation finished verification procedures for Italy's contested parliamentary elections, confirming center-left challenger Romano Prodi's electoral victory over incumbent PM Silvio Berlusconi in the critical Chamber of Deputies. Though Berlusconi might continue to protest, the court's decision effectively names Prodi the winner of Italy's April 9-10 election and should give him first crack at forming Italy's next government. Seat allocations for parliament will be declared officially by April 24 and parliament will sit April 28 to elect new parliamentary leaders. Only then can a new President of the Republic be elected who will presumably tap Prodi as PM-designate. END SUMMARY.

COURT OF CASSATION CONFIRMS PRODI ELECTORAL VICTORY

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[1](#)2. (SBU) Italy's Court of Cassation finished verification procedures for Italy's contested parliamentary elections (REFS A-C), confirming center-left challenger Romano Prodi's electoral victory over incumbent PM Silvio Berlusconi in the critical Chamber of Deputies. For the Chamber, which is the relevant house for determining an electoral victor, the court gave Prodi's coalition 19,002,598 votes to PM Berlusconi's 18,977,843 votes. The difference of 24,755 votes is only a slight decrease from the 25,244 provisionally reported by the Ministry of Interior. PM Berlusconi has complained previously that the Cassation Court accelerated the verification procedure at the expense of accuracy and might continue to contest these now official results. Nevertheless, the court's determination will allow Italy's new parliament to be seated April 28. Any lingering challenges would be adjudicated by parliamentary committees under a center-left majority.

SEAT ALLOCATIONS EXPECTED APRIL 24

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[1](#)3. (SBU) The Court of Cassation report means Prodi will gain a sizable majority in Italy's Chamber of Deputies and will probably have to manage with only a slight edge in the Senate. Official seat assignments are not expected until April 24 (REF C), but the court's announcement signals that Prodi can now be considered the victor of Italy's April 9-10 parliamentary elections.

PRESIDENT OF THE REPUBLIC NAMES PM-DESIGNATE

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[1](#)4. (SBU) In this parliamentary system, governments are formed in parliament and not in the election booth, so Prodi still has the difficult challenge of converting his parliamentary majorities into a workable government. It is the sole providence of the President of the Republic to choose the PM-designate, and Prodi's electoral victory makes him the likely first choice.

[1](#)5. (SBU) Parliament sits on April 28 and elects new Presidents for the Chamber of Deputies and the Senate. Sitting in joint session together with representatives of the regions, parliament must elect a new President of the Republic by May 13. Under current scenarios, Prodi would not officially be given the mandate to form a new government until after a new President is elected. Prodi allies have told us that he wants to announce his government by Italy's May 28 mayoral/provincial elections, however meeting this deadline might be difficult. Moreover, announcing his prospective cabinet is not the same as winning the vote of confidence necessary to confirm it (REF B).

COMMENT

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[1](#)6. (SBU) The Court announced its results within the past hour and, as of the writing of this cable, PM Silvio

Berlusconi has not yet conceded the elections. However, Berlusconi's closest associate, Noting that the center-right won all the "productive" regions and had lost by only 24,000 votes, U/S Gianni Letta told visiting Codel Hyde earlier today that he planned to serve with Berlusconi in a robust opposition. The Northern League's spokesperson also confirmed to Poloff that this meant the center-right loss was confirmed. A Forza Italia campaign manager and a Ministry of Interior spokesperson both told Poloff that the Court of Cassation would also have to provide official results for the Senate, but that the Senate was not contested. END COMMENT.  
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